

SPECIAL CITY COUNCIL MEETING
THURSDAY, JANUARY 21, 2010

**CITY COUNCIL CONVENED IN SPECIAL SESSION AND WAS CALLED TO ORDER BY PRESIDENT SAMMARONE. ON A CALL OF THE ROLL THE FOLLOWING MEMBERS RESPONDED TO THEIR NAMES: MESS. BROWN, DRENNEN, GILLAM, KITCHEN, RIGHETTI, SWIERZ, AND SAMMARONE, 7.
TARPLEY WAS ABSENT
COUNCIL SWORE ALLEGIANCE TO THE FLAG.**

COMMUNICATIONS

COM-10-11 NOTICE OF SPECIAL CITY COUNCIL MEETING ON THURSDAY, JANUARY 21, 2010. WAS READ AND UPON MOTION OF MR. SWIERZ WAS RECEIVED AND FILED. CARRIED

COM-10-12 A STATEMENT FROM MAYOR WILLIAMS IN RESPONSE TO PROTEST FROM REPRESENTATIVES OF THE ARAB-AMERICAN COMMUNITY. WAS READ AND UPON MOTION OF MR. SWIERZ WAS RECEIVED AND FILED. CARRIED

COM-10-13 A STATEMENT FROM MAYOR WILLIAMS ON NEIGHBORHOOD STABILIZATION PROGRAM II FUNDING. WAS READ AND UPON MOTION OF MR. SWIERZ WAS RECEIVED AND FILED. CARRIED

COM-10-14 MAHONING COUNTY COMMISSIONER RE-ORGANIZATIONAL MEETING WAS HELD ON FRIDAY, 1/11/10. WAS READ AND UPON MOTION OF MR. SWIERZ WAS RECEIVED AND FILED. CARRIED

COM-10-15 MAHONING COUNTY COMMISSIONER MEETING WAS HELD ON MONDAY, JANUARY 11, 2010. WAS READ AND UPON MOTION OF MR. SWIERZ WAS RECEIVED AND FILED. CARRIED

COM-10-16 MAHONING COUNTY COMMISSIONER MEETING WAS HELD ON THURSDAY, JANUARY 14, 2010. WAS READ AND UPON MOTION OF MR. SWIERZ WAS RECEIVED AND FILED. CARRIED

COM-10-17 EASTGATE REGIONAL COUNCIL OF GOVERNMENTS WILL BE MEETING ON THURSDAY, JANUARY 7, 2010. WAS READ AND UPON MOTION OF MR. SWIERZ WAS RECEIVED AND FILED. CARRIED

COM-10-18 LIQUOR APPLICATION TO KWIK PIK OHIO, LLC, 2069 MIDLOTHIAN BLVD. WAS READ AND UPON MOTION OF MR. SWIERZ WAS RECEIVED AND FILED CARRIED

SPECIAL CITY COUNCIL MINUTES
THURSDAY, JANUARY 21, 2010

COM-10-19 LIQUOR APPLICATION TO QUINPENN, LLC, 914 E. MIDLOTHIAN BLVD. WAS READ AND UPON MOTION OF MR. SWIERZ WAS RECEIVED AND FILED. CARRIED

COM-10-20 CLARENCE BOLES REQUEST PERMISSION TO ADDRESS CITY COUNCIL ON FEBRUARY 3, 2010. WAS READ AND UPON MOTION OF MR. SWIERZ WAS RECEIVED AND FILED. CARRIED

COM-10-21 KELSEY RUPERT REQUEST PERMISSION TO ADDRESS CITY COUNCIL ON FEBRUARY 3, 2010. WAS READ AND UPON MOTION OF MR. SWIERZ WAS RECEIVED AND FILED. CARRIED

COM-10-22 PRESS CONFERENCE RE: SHOTSPOTTER WILL BE HELD IN COUNCIL CHAMBERS ON FRIDAY, JANUARY 22, 2010. WAS READ AND UPON MOTION OF MR. SWIERZ WAS RECEIVED AND FILED. CARRIED

COM-10-23 DAVID BOZANICH, FINANCE DIRECTOR SUBMIT DECLARATION OF SURPLUS PROPERTY PART OF CITY LOT NUMBER #12663, MARION AVENUE AT BELLEVIEW AVENUE. WAS READ AND UPON MOTION OF MR. SWIERZ WAS RECEIVED AND FILED. CARRIED

COM-10-24 ERIC RYAN SUBMITS COVELLI CENTRE INCOME STATEMENT FOR THE QUARTER ENDING DECEMBER 31, 2009. WAS READ AND UPON MOTION OF MR. SWIERZ WAS RECEIVED AND FILED. CARRIED

COM-10-25 CHARLES SHASHO, ENGINEERING DIRECTOR WILL NOT IS ATTENDING CITY COUNCIL MEETING ON 1/21/10. WAS READ AND UPON MOTION OF MR. SWIERZ WAS RECEIVED AND FILED. CARRIED

COM-10-26 SEAN MCKINNEY, BUILDING COMMISSIONER WILL NOT IS ATTENDING CITY COUNCIL MEETING ON 1/21/10. WAS READ AND UPON MOTION OF MR. SWIERZ WAS RECEIVED AND FILED. CARRIED

COM-10-27 MAHONING COUNTY COMMISSIONERS MEETING WILL BE HELD ON THURSDAY, JANUARY 21, 2010. WAS READ AND UPON MOTION OF MR. SWIERZ WAS RECEIVED AND FILED. CARRIED

COM-10-28 BOARD OF CONTROL MEETING WILL BE HELD ON THURSDAY, JANUARY 21, 2010. WAS READ AND UPON MOTION OF MR. SWIERZ WAS RECEIVED AND FILED. CARRIED

RESOLUTIONS

RES-10-01 HONORING CARDINAL MOONEY HIGH SCHOOL FOOTBALL TEAM ON THEIR OHIO HIGH SCHOOL DIVISION III CHAMPIONSHIP. WAS READ THE FIRST TIME AND UPON MOTION OF MR. SWIERZ THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 6. NAYS, NONE.

SPECIAL CITY COUNCIL MINUTES
THURSDAY, JANUARY 21, 2010

THE RESOLUTION WAS THEN PLACED UPON ITS PASSAGE AND PASSED BY A VOTE OF YEAS, 6. NAYS, NONE.

RES-10-02 HONORING URSULINE HIGH SCHOOL FOOTBALL TEAM ON THEIR OHIO HIGH SCHOOL DIVISION V CHAMPIONSHIP. WAS READ THE FIRST TIME AND UPON MOTION OF MR. SWIERZ THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 6. NAYS, NONE.

THE RESOLUTION WAS THEN PLACED UPON ITS PASSAGE AND PASSED BY A VOTE OF YEAS, 6. NAYS, NONE.

RES-10-03 URGING THE LAW DIRECTOR OF THE CITY OF YOUNGSTOWN TO TAKE ALL NECESSARY ACTION TO RECOVER ALL WAIVED PERMIT FEES FROM ORION DEVELOPMENT RA LXII, LLC RELATED TO THE CVS DRUG STORE PROJECT AT 333 PARK AVENUE. WAS READ THE FIRST TIME AND UPON MOTION OF MR. SWIERZ THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 6. NAYS, NONE.

THE RESOLUTION WAS THEN PLACED UPON ITS PASSAGE AND PASSED BY A VOTE OF YEAS, 6. NAYS, NONE

ORDINANCES

ORD-10-07 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO ADVERTISE FOR BIDS AND ENTER INTO AN AGREEMENT(S) WITH THE LOWEST AND BEST BIDDER WHO IS RESPONSIBLE FOR THE HAZEL STREET EXTENSION PROJECT; AND FUNDS WILL BE MADE AVAILABLE IN FUND 250-PUBLIC WORKS PROJECTS AND ARE REIMBURSABLE FROM THE OHIO PUBLIC WORKS COMMISSION (STATE CAPITAL IMPROVEMENTS PROGRAM) AND THE OHIO DEPARTMENT OF DEVELOPMENT; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX OF THE MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. SWIERZ THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 6. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED UPON ITS PASSAGE AND PASSED BY A VOTE OF YEAS, 6. NAYS, NONE.

ORD-10-08 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO ENTER INTO ALL NECESSARY PROFESSIONAL SERVICES AGREEMENT(S) FOR CONSTRUCTION ADMINISTRATION SERVICES FOR THE HAZEL STREET EXTENSION PROJECT; AND FUNDS ARE AVAILABLE IN FUND 250-PUBLIC WORKS PROJECTS AND ARE REIMBURSABLE FROM THE OHIO PUBLIC WORKS COMMISSION (STATE CAPITAL IMPROVEMENTS PROGRAM) AND THE OHIO DEPARTMENT OF DEVELOPMENT; AND PROVIDING THAT THIS ORDINANCE

SPECIAL CITY COUNCIL MINUTES
THURSDAY, JANUARY 21, 2010

SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX OF THE MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. SWIERZ THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 6. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED UPON ITS PASSAGE AND PASSED BY A VOTE OF YEAS, 6. NAYS, NONE.

ORD-10-09 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO **ADVERTISE FOR BIDS AND ENTER INTO AN AGREEMENT(S) WITH THE LOWEST AND BEST BIDDER WHO IS RESPONSIBLE FOR THE LOWER MARKET STREET REHABILITATION PROJECT**; AND FUNDS ARE AVAILABLE IN FUND 250-PUBLIC WORKS PROJECTS AND ARE REIMBURSABLE FROM THE OHIO PUBLIC WORKS COMMISSION (STATE CAPITAL IMPROVEMENTS PROGRAM) AND THE OHIO DEPARTMENT OF DEVELOPMENT; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX OF THE MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. SWIERZ THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 6. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED UPON ITS PASSAGE AND PASSED BY A VOTE OF YEAS, 6. NAYS, NONE.

ORD-10-10 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO **ENTER INTO ALL NECESSARY PROFESSIONAL SERVICES AGREEMENT(S) FOR CONSTRUCTION ADMINISTRATION SERVICES FOR THE LOWER MARKET STREET REHABILITATION PROJECT**; AND FUNDS ARE AVAILABLE IN FUND 250-PUBLIC WORKS PROJECTS AND ARE REIMBURSABLE FROM THE OHIO PUBLIC WORKS COMMISSION (STATE CAPITAL IMPROVEMENTS PROGRAM) AND THE OHIO DEPARTMENT OF DEVELOPMENT; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX OF THE MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. SWIERZ THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 6. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED UPON ITS PASSAGE AND PASSED BY A VOTE OF YEAS, 6. NAYS, NONE.

ORD-10-11 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO **ENTER INTO ALL NECESSARY PROFESSIONAL SERVICE AGREEMENTS FOR CONSTRUCTION INSPECTION AND TESTING FOR THE 2010**

SPECIAL CITY COUNCIL MINUTES
THURSDAY, JANUARY 21, 2010

STREET RESURFACING PROGRAM; AND FUNDS ARE AVAILABLE IN THE \$5.00 AUTO LICENSE FEE CODE AND COMMUNITY DEVELOPMENT AGENCY; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX OF THE MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. SWIERZ THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 6. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED UPON ITS PASSAGE AND PASSED BY A VOTE OF YEAS, 6. NAYS, NONE.

ORD-10-12 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO **ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER WHO IS RESPONSIBLE FOR THE 2010 STREET RESURFACING PROGRAM;** AND FUNDS ARE AVAILABLE IN THE \$5.00 LICENSE FEE CODE AND COMMUNITY DEVELOPMENT AGENCY; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX OF THE MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. SWIERZ THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 6. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED UPON ITS PASSAGE AND PASSED BY A VOTE OF YEAS, 6. NAYS, NONE.

ORD-10-13 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO **WAIVE FORMAL BIDDING PROCEDURES PURSUANT TO SECTION 735.051 OF THE OHIO REVISED CODE, AND TO APPROVE AND MAKE PAYMENT IN THE AMOUNT OF \$28,100.83 TO A.P. O'HORO FOR EMERGENCY WASH OUT REPAIR WORK ON SR 11;** AND FUND ARE ENCUMBERED UNDER FUND 103 126000; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX OF THE MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. SWIERZ THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 6. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED UPON ITS PASSAGE AND PASSED BY A VOTE OF YEAS, 6. NAYS, NONE.

ORD-10-14 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO **ACCEPT THE OHIO DEPARTMENT OF DEVELOPMENT'S CLEAN OHIO REVITALIZATION FUND GRANT #10-030-ADMIN IN THE AMOUNT OF \$295,832.00, AND TO ENTER INTO APPROPRIATE AGREEMENTS TO**

SPECIAL CITY COUNCIL MINUTES
THURSDAY, JANUARY 21, 2010

IMPLEMENT THE GRANT FOR THE WEAN UNITED BUILDING PROJECT; AND FURTHER, APPROPRIATING FUNDS TO THE FOLLOWING LINE ITEM WITHIN FUND 417;

<u>CODE</u>	<u>CATEGORY</u>	<u>AMOUNT</u>
417035-3200	PROFESSIONAL SERVICES	\$295,832.00;

AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX OF THE MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. SWIERZ THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 6. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED UPON ITS PASSAGE AND PASSED BY A VOTE OF YEAS, 6. NAYS, NONE.

ORD-10-15 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO ACCEPT THE OHIO DEPARTMENT OF DEVELOPMENT'S ROADWORK DEVELOPMENT 629 GRANT (ECDD10-004) IN THE AMOUNT OF \$747,500.00, AND TO ENTER INTO APPROPRIATE AGREEMENTS TO IMPLEMENT THE GRANT FOR THE SALT SPRINGS ROAD INDUSTRIAL PARK EXPANSION; AND

FURTHER, APPROPRIATING FUNDS TO THE FOLLOWING LINE ITEM WITHIN FUND 417;

<u>CODE</u>	<u>CATEGORY</u>	<u>AMOUNT</u>
417033-3200	PROFESSIONAL SERVICES	\$747,500.00;

AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX OF THE MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. SWIERZ THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 6. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED UPON ITS PASSAGE AND PASSED BY A VOTE OF YEAS, 6. NAYS, NONE.

ORD-10-16 AUTHORIZING THE CITY OF YOUNGSTOWN TO FILE AN APPLICATION TO THE STATE OF OHIO, TO PARTICIPATE IN THE CLEAN OHIO REVITALIZATION FUND TO RECEIVE FINANCIAL ASSISTANCE FOR BRIER HILL INDUSTRIAL PARK REVITALIZATION, PHASE 1; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX OF THE MEMBERS OF COUNCIL; OTHERWISE, IT

SPECIAL CITY COUNCIL MINUTES
THURSDAY, JANUARY 21, 2010

SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. SWIERZ THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 6. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED UPON ITS PASSAGE AND PASSED BY A VOTE OF YEAS, 6. NAYS, NONE.

ORD-10-17 APPROPRIATING THE TOTAL AMOUNT OF \$30,000.00 FROM FUND 654 TO VARIOUS LINE ITEM CODES, HEREIN LISTED, IN THE HEALTH DEPARTMENT FOR CONTINUATION OF THE FEDERAL HIV/STD PREVENTION PROGRAM GRANT FOR THE PERIOD OF JANUARY 1, 2010 THROUGH DECEMBER 31, 2010;

<u>LINE ITEM</u>	<u>CATEGORY</u>	<u>AMOUNT</u>
654010-110	PERSONNEL SERVICES	\$12,012.33
654010-112	FRINGE BENEFITS	\$ 144.22
654010-115	PENSION PLANS	\$ 1,361.73
654010-116	OTHER EMPLOYEE BENEFITS	\$ 1,815.99
654010-131	INSURANCE EMPLOYEE RELATED	\$ 161.64
654010-171	GRANTS & LOANS	\$ 14,504.09
	TOTAL	\$ 30,000.00

AND FUNDS WILL BE AVAILABLE IN AND EXPENDED FROM FUND 654010; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX OF THE MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. SWIERZ THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 6. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED UPON ITS PASSAGE AND PASSED BY A VOTE OF YEAS, 6. NAYS, NONE.

ORD-10-18 APPROPRIATING THE AMOUNT OF \$22,000.00 FROM FUND 642 (HIV/AIDS SERVICE FUND) TO THE FOLLOWING LINE ITEM CODE, WITHIN SAID FUND:

<u>LINE ITEM</u>	<u>CATEGORY</u>	<u>AMOUNT</u>
960642-132	PROFESSIONAL SERVICES	\$22,000.00

THESE FUNDS REPRESENTS THE COMPREHENSIVE CARE CENTER'S 2010 BUDGET, AND THE LEGISLATION IS NECESSARY FOR THE CONTINUATION OF AN URSULINE SISTERS HIV/AIDS MINISTRY, HIV/AIDS CLINIC PROGRAM IN THE YOUNGSTOWN CITY HEALTH DISTRICT; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX OF THE MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE

SPECIAL CITY COUNCIL MINUTES
THURSDAY, JANUARY 21, 2010

IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. SWIERZ THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 6. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED UPON ITS PASSAGE AND PASSED BY A VOTE OF YEAS, 6. NAYS, NONE.

ORD-10-19 APPROPRIATING THE TOTAL AMOUNT OF \$308,880.00 FROM FUND 663 TO VARIOUS LINE ITEM CODES, HEREIN LISTED, IN THE HEALTH DEPARTMENT FOR CONTINUATION OF THE FEDERAL HIV PREVENTION PROGRAM (COMMUNITY AIDS EDUCATION INTERVENTION) FOR THE PERIOD OF JANUARY 1, 2010 THROUGH DECEMBER 31, 2010;

<u>LINE ITEM</u>	<u>CATEGORY</u>	<u>AMOUNT</u>
663010-110	PERSONNEL SERVICES	\$165,527.39
663010-112	FRINGE BENEFITS	\$ 1,987.32
663010-115	PENSION PLANS	\$ 18,764.35
663010-116	OTHER EMPLOYEE BENEFITS	\$ 25,023.94
663010-131	INSURANCE EMPLOYEE RELATED	\$ 2,227.34
663010-171	GRANTS & LOANS	<u>\$ 95,349.66</u>
	TOTAL	\$ 308,880.00

AND FUNDS WILL BE AVAILABLE IN AND EXPENDED FROM FUND 663010; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX OF THE MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. SWIERZ THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 6. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED UPON ITS PASSAGE AND PASSED BY A VOTE OF YEAS, 6. NAYS, NONE.

ORD-10-20 APPROPRIATING FUNDS FROM VARIOUS HEALTH DISTRICT FUNDS TO VARIOUS CODES WITHIN SAID FUNDS, HEREIN LISTED, TO ESTABLISH YEAR 2010 BUDGETS; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX OF THE MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. SWIERZ THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 6. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED UPON ITS PASSAGE AND PASSED BY A VOTE OF YEAS, 6. NAYS, NONE.

SPECIAL CITY COUNCIL MINUTES
THURSDAY, JANUARY 21, 2010

ORD-10-21 APPROPRIATING \$48,500.00 (\$30,000.00 GRANT FUNDS AND \$18,500.00 MEDICAID BILLING PROJECT INCOME) FROM FUND 667 TO THE LINE ITEM CODE LISTED HEREIN, FOR CONTINUATION OF THE DENTAL SEALANT GRANT PROGRAM FOR THE PERIOD JANUARY 1, 2010 THROUGH DECEMBER 31, 2010; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX OF THE MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. SWIERZ THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 6. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED UPON ITS PASSAGE AND PASSED BY A VOTE OF YEAS, 6. NAYS, NONE.

ORD-10-22 CREATING ORG. CODE 250033, KIRKMERE AREA SANITARY SEWER IMPROVEMENTS, WHICH WILL BE PART OF FUND 250, PUBLIC WORKS PROJECTS; AND

APPROPRIATING THE TOTAL AMOUNT OF \$580,028.00 TO FUND NUMBER 250, ORG. CODE 250033. FUNDS ARE AVAILABLE IN THE OHIO PUBLIC WORKS STATE CAPITAL IMPROVEMENTS PROGRAM AND LOCAL MATCHING FUNDS ARE AVAILABLE IN THE WASTE WATER TREATMENT PLANT FUNDS; AND

FURTHER TRANSFERRING SAID APPROPRIATION TO THE FOLLOWING OBJECTS:

<u>OBJECT</u>	<u>CATEGORY</u>	<u>AMOUNT</u>
132	PROFESSIONAL SERVICES	\$103,942.00
151	BUILDING & INFRASTRUCTURE	\$476,086.00
	TOTAL	\$580,028.00

AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX OF THE MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. SWIERZ THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 6. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED UPON ITS PASSAGE AND PASSED BY A VOTE OF YEAS, 6. NAYS, NONE.

ORD-10-23 CREATING ORG. CODE 250032, 2010 INFRASTRUCTURE & SAFETY UPGRAIDING PROGRAM, WHICH WILL BE PART OF FUND 250, PUBLIC WORKS PROJECTS;

APPROPRIATING THE TOTAL AMOUNT OF \$1,322,184.00 TO FUND NUMBER 250, ORG. CODE 250032. FUNDS ARE AVAILABLE IN THE OHIO PUBLIC WORKS STATE

SPECIAL CITY COUNCIL MINUTES
THURSDAY, JANUARY 21, 2010

CAPITAL IMPROVEMENTS PROGRAM AND LOCAL MATCHING FUNDS ARE AVAILABLE IN THE WASTE WATER TREATMENT PLANT FUNDS AND THE \$5.00 AUTO LICENSE FEE FUND AND;

FURTHER TRANSFERRING SAID APPROPRIATION TO THE FOLLOWING OBJECTS:

<u>OBJECT</u>	<u>CATEGORY</u>	<u>AMOUNT</u>
132	PROFESSIONAL SERVICES	\$ 148,064.00
151	BUILDING & INFRASTRUCTURE	<u>\$1,174,120.00</u>
	TOTAL	<u>\$1,322,184.00</u>

AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX OF THE MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. SWIERZ THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 6. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED UPON ITS PASSAGE AND PASSED BY A VOTE OF YEAS, 6. NAYS, NONE.

ORD-10-24 CREATING ORG. CODE 250031, LOWER MARKET STREET REHABILITATION PROJECT (ANTHEM), WHICH WILL BE PART OF FUND 250, PUBLIC WORKS PROJECTS; AND

APPROPRIATING THE TOTAL AMOUNT OF \$950,657.00 TO FUND NUMBER 250, ORG. CODE 250031. FUNDS ARE AVAILABLE IN THE OHIO PUBLIC WORKS STATE CAPITAL IMPROVEMENTS PROGRAM AND LOCAL MATCHING FUNDS ARE REIMBURSABLE BY THE OHIO DEPARTMENT OF DEVELOPMENT 629 GRANT; AND;

FURTHER TRANSFERRING SAID APPROPRIATION TO THE FOLLOWING OBJECTS:

<u>OBJECT</u>	<u>CATEGORY</u>	<u>AMOUNT</u>
132	PROFESSIONAL SERVICES	\$ 133,749.00
151	BUILDING & INFRASTRUCTURE	<u>\$ 816,908.00</u>
	TOTAL	<u>\$, 950,657.00</u>

AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX OF THE MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. SWIERZ THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 6. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED UPON ITS PASSAGE AND PASSED BY A VOTE OF YEAS, 6. NAYS, NONE.

SPECIAL CITY COUNCIL MINUTES
THURSDAY, JANUARY 21, 2010

ORD-10-25 CREATING ORG. CODE 250030, HAZEL STREET EXTENSION PROJECT (VMI), WHICH WILL BE PART OF FUND 250, PUBLIC WORKS PROJECTS; AND

APPROPRIATING THE TOTAL AMOUNT OF \$1,171,500.00 TO FUND NUMBER 250, ORG. CODE 250030. FUNDS ARE AVAILABLE IN THE OHIO PUBLIC WORKS STATE CAPITAL IMPROVEMENTS PROGRAM AND LOCAL MATCHING FUNDS ARE REIMBURSABLE BY THE OHIO DEPARTMENT OF DEVELOPMENT 629 GRANT; AND

FURTHER TRANSFERRING SAID APPROPRIATION TO THE FOLLOWING OBJECTS:

<u>OBJECT</u>	<u>CATEGORY</u>	<u>AMOUNT</u>
132	PROFESSIONAL SERVICES	\$ 106,500.00
151	BUILDING & INFRASTRUCTURE	\$1,065,000.00
	TOTAL	\$1,171,500.00

AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX OF THE MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. SWIERZ THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 6. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED UPON ITS PASSAGE AND PASSED BY A VOTE OF YEAS, 6. NAYS, NONE.

ORD-10-26 REPEALING, IN ITS ENTIRETY, ORDINANCE NO. 09-267, PASSED IN CITY COUNCIL ON SEPTEMBER 16, 2009, WHICH AUTHORIZED THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO WAIVE A \$4,509.13 BUILDING PERMIT FEE FOR ORION DEVELOPMENT FOR CONSTRUCTION OF A 12,000 SQUARE FOOT CVS DRUG STORE AT 333 PARK AVENUE; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX OF THE MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. SWIERZ THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 6. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED UPON ITS PASSAGE AND PASSED BY A VOTE OF YEAS, 6. NAYS, NONE.

ORD-10-27 REPEALING, IN ITS ENTIRETY, ORDINANCE NO. 09-284, PASSED IN CITY COUNCIL ON OCTOBER 7, 2009, WHICH AUTHORIZED THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO WAIVE SEWER, WASTEWATER AND WATER TAP IN FEES, NOT TO EXCEED \$6,000.00 FOR ORION

SPECIAL CITY COUNCIL MINUTES
THURSDAY, JANUARY 21, 2010

DEVELOPMENT'S CONSTRUCTION OF A 12,000 SQUARE FOOT CVS DRUG STORE AT 333 PARK AVENUE; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX OF THE MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. SWIERZ THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 6. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED UPON ITS PASSAGE AND PASSED BY A VOTE OF YEAS, 6. NAYS, NONE.

ORD-10-28 REPEALING, IN ITS ENTIRETY, ORDINANCE NO. 09-77, PASSED IN CITY COUNCIL ON APRIL 15, 2009, WHICH AUTHORIZED THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO ENTER INTO AN ENTERPRISE ZONE AGREEMENT WITH ORION DEVELOPMENT RA LXII, LLC AND REVCO DISCOUNT DRUG ENTERS, INC., AN OHIO CORPORATION FOR A TEN (10) YEAR, SEVENTY-FIVE PERCENT (75%) ABATEMENT OF REAL PROPERTY TAXES RESULTING FROM THE PROJECT; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX OF THE MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. SWIERZ THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 6. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED UPON ITS PASSAGE AND PASSED BY A VOTE OF YEAS, 6. NAYS, NONE.

ORD-10-29 AUTHORIZING THE CITY OF YOUNGSTOWN TO DEDICATE AND ACCEPT THE DEDICATION OF PART OF CITY LOT NUMBER 12663, A 13' X 150' STRIP OF LAND ALONG EASTERLY PART OF CITY LOT NUMBER 12663, FOR THE WIDENING OF BELLVIEW AVENUE, AS CURRENTLY LAID OUT, FOR STREET RIGHT-OF-WAY PURPOSES, AS SHOWN LAID OUT AND HACHURED ON THE ATTACHED PROPOSED REPLAT MAP OF CITY OUT LOT NUMBER 532, OUT LOT NUMBER 533, CITY LOT NUMBER 12663, 12765 AND 12766, SHOWN ON ATTACHED EXHIBIT "A"; AND THE CITY OF YOUNGSTOWN ACQUIRED THIS 13' X 150' STRIP OF LAND THROUGH DEED VOLUME 265, PAGE 92, DATED FEBRUARY 15, 1921 FROM LEO GUTHMAN, ET AL. FOR INGRESS PURPOSES TO FORMER SOUTHSIDE PARK AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX OF THE MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. SWIERZ THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 6. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED UPON ITS PASSAGE AND PASSED BY A VOTE OF YEAS, 6. NAYS, NONE.

SPECIAL CITY COUNCIL MINUTES
THURSDAY, JANUARY 21, 2010

ORD-10-30 **DECLARING A VACANT PARCEL OF REAL PROPERTY, UNDER SECTION 3, ARTICLE XVIII OF THE OHIO CONSTITUTION AND SECTION 1 AND SECTION 2 OF THE CITY CHARTER, KNOWN AS PART CITY LOT NUMBER 12663, LOCATED AT MARION AVENUE, IS NO LONGER NECESSARY FOR MUNICIPAL AND/OR PARK AND RECREATION PURPOSES;** AND FURTHER, THAT THE DIRECTOR OF FINANCE AND CITY OF YOUNGSTOWN, OHIO, BY AND THROUGH ITS PARK AND RECREATION COMMISSION, HAVING OFFICIALLY DECLARED THE CITY-OWNED REAL PROPERTY SURPLUS PROPERTY **ON JANUARY 14, 2010,** SHOULD CAUSE THE SALE AND TRANSFER OF SAID REAL PROPERTY FOR USE IN CONNECTION WITH **CIVIC IMPROVEMENT PURPOSES;** AND FURTHER AUTHORIZE THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO ENTER INTO AND EXECUTE ALL NECESSARY INSTRUMENTS REQUIRED TO ACCOMPLISH THE SALE AND TRANSFER OF THE FOLLOWING DESCRIBED CITY-OWNED REAL PROPERTY, FOR THE SUM OF TEN DOLLARS (\$10.00). SAID REAL PROPERTY TO BE USED FOR **CIVIC IMPROVEMENT PURPOSES BY THE RESCUE MISSION OF MAHONING VALLEY, A NON-PROFIT CORPORATION,** 2446 GLENWOOD AVENUE, YOUNGSTOWN, OHIO 44511, FOR THE PARK/GREEN SPACE PURPOSES IN CONNECTION WITH THE CONSTRUCTION OF RESCUE MISSION NEW BUILDING, TO BE LOCATED AT ERIE STREET. THE TRANSFER OF THE FOLLOWING DESCRIBED REAL PROPERTY IS SUBJECT TO A SURVEY AND REPLATTING OF SAID PARCEL; AND

CITY LOT NUMBER:	PART OF CITY LOT NO. 12663
PERMANENT PARCEL NO.	53-047-0-471.00
SIZE:	60' X 150' = 0.207 +/-ACRES
IMPROVEMENT:	VACANT LAND
PROPERTY LOCATION:	MARION AVENUE AT BELLEVIEW AVENUE
DEEDED TO PARK DEPT:	O.R.VOL. 805, PG. 42- 02/10/1989
PRIOR OWNER:	HENRY P. CONRAD
PRIOR CITY USE:/BY:	INGRESS TO SOUTHSIDE PARK
CURRENT CITY USE:	NONE

PROPERTY MAP IS SHOWN ON ATTACHMENT "A" AND LEGAL DESCRIPTION ON ATTACHMENT "B"; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX OF THE MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. SWIERZ THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 6. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED UPON ITS PASSAGE AND PASSED BY A VOTE OF YEAS, 6. NAYS, NONE.

READINGS

ORD-10-04 SUSPENDING SECTION 143.03 (a) THROUGH (d), **ELIGIBILITY LISTS FOR ORIGINAL APPOINTMENTS**, OF THE CODIFIED ORDINANCES OF THE CITY OF YOUNGSTOWN, INITIAL APPOINTMENTS FROM FIREFIGHTER CIVIL SERVICE LIST NO. 1844; AND PURSUANT TO AUTHORITY GRANTED BY SECTION 124.90(B) OF THE OHIO REVISED CODE TO AVOID FEDERALLY PROHIBITED DISCRIMINATION IN THE YOUNGSTOWN FIRE DEPARTMENT, AND TO PROVIDE FOR THE INITIAL APPOINTMENT OF MINORITIES AND FEMALES FROM FIREFIGHTER CIVIL SERVICE LIST NO. 1844, OHIO REVISED CODE SECTIONS 124.26 AND 124.27 KNOWN AS THE "RULE OF TEN", BE AND THE SAME ARE HEREBY WAIVED AND THE APPOINTING AUTHORITY IS HEREBY AUTHORIZED TO APPOINT FROM THE LIST OF ALL NON-MINORITY APPLICANTS WHO OBTAINED A PASSING SCORE ON THE EXAM; AND THAT THIS ORDINANCE IS HEREBY DECLARED TO BE AN EMERGENCY MEASURE FOR THE IMMEDIATE PRESERVATION OF THE PUBLIC PEACE, WELFARE AND SAFETY IN FILLING VACANT FIREFIGHTERS' POSITIONS WITH QUALIFIED NON-MINORITY AND MINORITY CANDIDATES AND PROVIDED THAT THIS ORDINANCE RECEIVES THE AFFIRMATIVE VOTE OF SIX OF THE MEMBERS ELECTED TO THE LEGISLATIVE AUTHORITY, IT SHALL TAKE EFFECT AND BE IN FORCE IMMEDIATELY UPON ITS PASSAGE AND APPROVAL BY THE MAYOR; OTHERWISE IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE SECOND TIME AND UPON MOTION OF MR. SWIERZ WAS ADVANCED TO A THIRD READING.

ORD-09-388 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO NEGOTIATE TERMS AND ENTER INTO A DEVELOPMENT AGREEMENT WITH NORTH STAR DISPOSAL SERVICES, LLC THAT PROVIDES FOR THE TRANSFER OF 7.5 ACRES OF PROPERTY ON OHIO WORKS DRIVE, GRANTS ENVIRONMENTAL INDEMNIFICATION TO THE SITE, AND A TEN-YEAR 75% TAX ABATEMENT ON ALL REAL PROPERTY IMPROVEMENTS; AND THE COMPANY PROPOSED TO INVEST \$1.7 MILLION DOLLARS FOR CONSTRUCTION OF A WASTEWATER PRE-TREATMENT FACILITY AND INJECTION WELL SITE. 5-10 JOBS WILL BE CREATED AS A RESULT OF THIS PROJECT; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX OF THE MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE THIRD TIME AND UPON MOTION OF MR. SWIERZ WAS ADVANCED TO THE PUBLIC UTILITIES COMMITTEE.

LATES

ORD-10-31 AMENDING ORDINANCE NUMBER 10-05, PASSED BY YOUNGSTOWN CITY COUNCIL ON JANUARY 6, 2010, WHICH ADOPTED AND ESTABLISHED THE MASTER SALARY FOR THE CITY OF YOUNGSTOWN FOR 2010, AND WHICH INCORPORATED ALL AMENDMENTS TO DATE; AND THE

SPECIAL CITY COUNCIL MINUTES
THURSDAY, JANUARY 21, 2010

AMENDMENT BEING: TO CORRECT A CLERICAL ERROR ON PAGE 12 OF EXHIBIT "A" TO REFLECT THE ACCURATE NUMBER OF AUTHORIZED POSITIONS FOR POSITION 3662 DETECTIVE/SERGEANT IN THE POLICE DEPARTMENT TO READ 45 NOT 46, AS ESTABLISHED BY ORDINANCE NUMBER 09-380 PASSED IN YOUNGSTOWN CITY COUNCIL ON DECEMBER 2, 2009; AND THE MASTER SALARY DATED JANUARY 1, 2010, AS CORRECTED, IS ATTACHED HERETO AS EXHIBIT "A"; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX OF THE MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. SWIERZ THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 6. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED UPON ITS PASSAGE AND PASSED BY A VOTE OF YEAS, 6. NAYS, NONE.

ORD-10-32 AMENDING SECTION 1 OF ORDINANCE NO. 10-5, PASSED IN CITY COUNCIL ON JANUARY 6, 2010, AND WHICH WAS FURTHER AMENDED BY **ORD-10-31** PASSED BY YOUNGSTOWN CITY COUNCIL ON JANUARY 21, 2010, WHICH ESTABLISHED THE MASTER SALARY ORDINANCE FOR THE CITY OF YOUNGSTOWN. THIS BEING **AMENDMENT NO. 1-2010 TO AMEND THE FOLLOWING DETECTIVE/SERGEANT POSITION IN THE PROFESSIONAL RANKS OF THE POLICE DEPARTMENT RETROACTIVE TO JULY 28, 2009:**

AMEND POSITION NO. 3662 DETECTIVE/SERGEANT WITHIN THE PROFESSIONAL RANKS OF THE POLICE DEPARTMENT, TO ABOLISH THREE (3) POSITIONS, THEREBY CHANGING THE NUMBER OF AUTHORIZED POSITIONS FROM 45 TO 42 RETROACTIVE TO JULY 28, 2009:

CURRENTLY:

POSITION NO.:	3662
TITLE:	DETECTIVE/SERGEANT
AUTH. POSITIONS:	45
FUND:	109
ORG. CODE:	071000
DEPARTMENT:	07
DIVISION:	02
SALARY:	\$62,541.18 ANNUAL/\$30.0679 HOURLY
BARGAINING UNIT:	YPRO
FULL OR PART-TIME:	FULL-TIME

AMEND TO:

POSITION NO.:	3662
TITLE:	DETECTIVE/SERGEANT

SPECIAL CITY COUNCIL MINUTES
THURSDAY, JANUARY 21, 2010

AUTH. POSITIONS: **42**
FUND: 109
ORD. CODE: 071000
DEPARTMENT: 07
DIVISION: 02
SALARY: \$62,541.18 ANNUAL/\$30.0679 HOURLY
BARGAINING UNIT: YPRO
FULL OR PART-TIME: FULL-TIME

TWO (2) POSITIONS BECAME VACANT UPON THE RETIREMENT OF DETECTIVE/SERGEANT KENNETH LINDEN AND DETECTIVE/SERGEANT MICHAEL DOBRAN. ONE (1) ADDITIONAL POSITION BECAME VACANT WHEN DETECTIVE/SERGEANT BRADLEY BLACKBURN WAS PROMOTED. THE POSITIONS ARE BEING ABOLISHED PURSUANT TO THE PROCEDURE ESTABLISHED BY THE OHIO SUPREME COURT IN ZAVISIN V. CITY OF LOVELAND, FOR PURPOSE OF ECONOMY; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX OF THE MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW.

WAS READ THE FIRST TIME AND UPON MOTION OF MR. SWIERZ THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 6. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED UPON ITS PASSAGE AND PASSED BY A VOTE OF YEAS, 6. NAYS, NONE.

ORD-10-33 AMENDING SECTION 1 OF ORDINANCE NO. 10-5, PASSED IN CITY COUNCIL ON JANUARY 6, 2010, AND WHICH WAS FURTHER AMENDED BY **ORD-10-31** PASSED BY YOUNGSTOWN CITY COUNCIL ON JANUARY 21, 2010, WHICH ESTABLISHED THE MASTER SALARY ORDINANCE FOR THE CITY OF YOUNGSTOWN. THIS BEING **AMENDMENT NO. 2-2010** TO AMEND THE FOLLOWING DETECTIVE/SERGEANT POSITION IN THE PROFESSIONAL RANKS OF THE POLICE DEPARTMENT EFFECTIVE JANUARY 15, 2009;

AMEND POSITION NO. 3662 DETECTIVE/SERGEANT WITHIN THE PROFESSIONAL RANKS OF THE POLICE DEPARTMENT, TO ABOLISH ONE (1) POSITION, THEREBY CHANGING THE NUMBER OF AUTHORIZED POSITIONS FROM 42 TO 41 EFFECTIVE JANUARY 15, 2009:

CURRENTLY:

POSITION NO.: 3662
TITLE: DETECTIVE/SERGEANT
AUTH. POSITIONS: 42
FUND: 109
ORG. CODE: 071000

SPECIAL CITY COUNCIL MINUTES
THURSDAY, JANUARY 21, 2010

DEPARTMENT: 07
DIVISION: 02
SALARY: \$62,541.18 ANNUAL/\$30.0679 HOURLY
BARGAINING UNIT: YPRO
FULL OR PART-TIME: FULL-TIME

AMEND TO:

POSITION NO.: 3662
TITLE: DETECTIVE/SERGEANT
AUTH. POSITIONS: **41**
FUND: 109
ORG. CODE: 071000
DEPARTMENT: 07
DIVISION: 02
SALARY: \$62,541.18 ANNUAL/\$30.0679 HOURLY
BARGAINING UNIT: YPRO
FULL OR PART-TIME: FULL-TIME

ONE (1) POSITION BECAME VACANT UPON THE RETIREMENT OF DETECTIVE/SERGEANT DELPHINE BALDWIN-CASEY. THE POSITION IS BEING ABOLISHED PURSUANT TO THE PROCEDURE ESTABLISHED BY THE OHIO SUPREME COURT IN ZAVISIN V. CITY OF LOVELAND, FOR PURPOSE OF ECONOMY; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX OF THE MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW.

WAS READ THE FIRST TIME AND UPON MOTION OF MR. SWIERZ THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 6. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED UPON ITS PASSAGE AND PASSED BY A VOTE OF YEAS, 6. NAYS, NONE.

MR. SAMMARONE: "THAT CONCLUDES THE AGENDA, LADIES AND GENTLEMEN, WE NEED A MOTION TO ADJOURN".

MR. SWIERZ: "I MOVE TO ADJOURN MR. CHAIRMAN".

MS. DRENNEN: "SECOND".

MR. SAMMARONE: "MOVED AND SECONDED, THANK YOU".

SPECIAL CITY COUNCIL MINUTES
THURSDAY, JANUARY 21, 2010

**UPON MOTION COUNCIL ADJOURNED.
APPROVED: WEDNESDAY, FEBRUARY 3, 2010**

CLERK

PRESIDENT